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EUS/J/P/05-3024

Response To Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)			Docket No. P16309-US1	
In Re Application Of: Joerg Huschke et al.				
US Application No. 10/505,397	I.A. Filing Date February 25, 2002	Examiner Not Yet Assigned	Group Art Unit Not Yet Assigned	
Invention: Dynamic Frequency Spectrum Re-Allocation				
Mail Stop PCT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. (703) 305-3230				
This is a response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on <u>January 25, 2005</u> .				
Enclosed herewith for filing are the following: <input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). (2 page(s)) <input checked="" type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. (4 page(s)) <input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office. <input type="checkbox"/> Other: _____				
<input type="checkbox"/> This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor. <input type="checkbox"/> One month (\$120) <input type="checkbox"/> Two months (\$450) <input type="checkbox"/> Three months (\$1020) <input type="checkbox"/> Four months (\$1590) <input type="checkbox"/> Five months (\$2160) from: _____ until: _____				
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge <u>\$130.00</u> , the surcharge for late payment of filing fee and/or late filing of original declaration or oath or any other fees which may be required, or credit any overpayment, to <u>Deposit Account No. 60-1379</u> . If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required				
Signature: <u><i>Sidney L. Weatherford</i></u> Sidney L. Weatherford Intellectual Property Counsel Ericsson Inc. 6300 Legacy Drive, MS/EVR1C11 Plano, Texas 75024 Date: <u>February 1, 2005</u>		<div style="border: 1px solid black; padding: 5px;"> CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First class or Express mail in an envelope addressed to Commissioner for Patents, or being facsimile transmitted to the USPTO on the date indicated below. Date: <u>February 1, 2005</u> Name: <u>Jacqueline Wilson</u> Signature: <u><i>Jacqueline Wilson</i></u> <u>02/24/2005 KWILLIAM 00000002 501379</u> </div>		

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/505,397	Jorg Huschke	P16309-US1
INTERNATIONAL APPLICATION NO.		
PCT/EP02/01973		
LA. FILING DATE	PRIORITY DATE	
02/25/2002		

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CONFIRMATION NO. 7256
 371 FORMALITIES LETTER



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Date Mailed: 01/25/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/20/2004
- Copy of the International Search Report filed on 08/20/2004
- Copy of IPE Report filed on 08/20/2004
- Preliminary Amendments filed on 08/20/2004
- Information Disclosure Statements filed on 08/20/2004
- Oath or Declaration filed on 08/20/2004
- Request for Immediate Examination filed on 08/20/2004
- U.S. Basic National Fees filed on 08/20/2004

Docketed:	MP
Due:	3-25-05
Initials:	JW

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/505,397	PCT/EP02/01973	P16309-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)